

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert C. Aaron, et al. Examiner: John Quoc Nguyen
Serial No.: 10/716,257 Group Art Unit: 3654
Filed: November 18, 2003 Docket No.: 100202741-1
Title: Apparatus and Method for Reversing Tapewind Direction

REPLY APPEAL BRIEF UNDER 37 C.F.R. § 41.41

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Answer mailed March 19, 2008, Appellants file this Reply Brief in accordance with 37 C.F.R. § 41.41.

AUTHORIZATION TO DEBIT ACCOUNT

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's deposit account no. 08-2025.

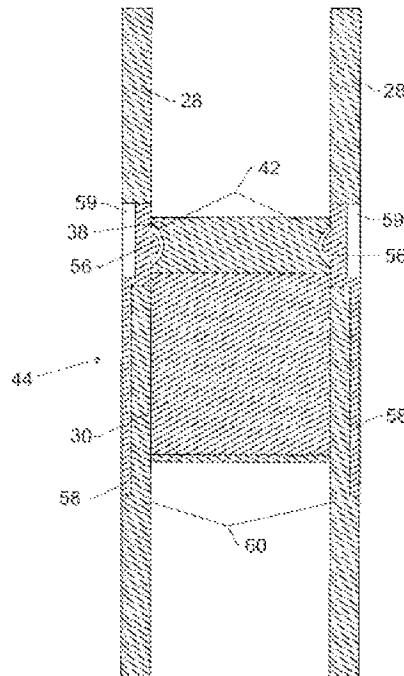
All Claim Elements not Taught/Suggested

Claim 1 recites that the securing mechanism is formed in the pair of flanges and has a resilient member moveable for releasably securing a position of the guide member with respect to the hub. In other words, the securing mechanism in claim 1 has at least 3 limitations: (1) the securing mechanism is formed in the pair of flanges; (2) the securing mechanism has a resilient member; and (3) the resilient member releasable secures a position of the guide member with respect to the hub. Gavit in view of Smith do not teach or suggest a securing mechanism with these three different limitations.

The Examiner argues that Gavit teaches the securing mechanism at 74/75 (receiving portions) and 102/104/106 (spring and ball bearings). As clearly shown in Fig. 5 of Gavit, elements 102/104/106 (spring and ball bearings) are formed in the receiver block 46 (which the examiner argues is the claimed “guide member”). Thus, Gavit does not teach a securing mechanism that teaches or suggests all three limitations. Specifically, Gavit does not teach a securing mechanism that is “formed in the pair of flanges.” Instead, the securing mechanism (i.e., the spring and ball bearings 102/104/106) are formed in the receiver block (i.e., the guide member) and not the flanges 50 and 70.

Appellants acknowledge that claims must be given their broadest interpretation during patent examination. However, this interpretation must be a “**reasonable interpretation consistent with the specification**” (see MPEP 2111: emphasis added). Appellants’ Figure 3 (reproduced below) shows a hub 30 with two spaced flanges 28. Notice that the securing mechanism 44 is formed in the flanges 28. This securing mechanism (which includes resilient members 58 and tab members 56) actually forms part of the flanges as clearly shown in the cross-sectional view of Fig. 3.

In the Examiner’s Answer at p. 5, the examiner even admits that the “securing mechanism 44 is located in the pair of flanges 28” (see last sentence on p. 4 extending to p. 5). The Examiner’s Answer continues to argue that Appellants’ specification defines flange so broadly that securing mechanism in Gavit (i.e., elements 102/104/106) are thus formed in the flanges as recited in the claims.



The arguments of the Examiner are contrary to the teachings Appellants' specification, Gavit, and plain meaning of the terms "flanges" in this area of art. Figure 3 in Appellants' specification show two spaced flanges 28 separated by a hub 30. Likewise, Figs. 5 and 9-13 in Gavit show two spaced flanges 50 and 70 separated by a hub 40. Again, notice that the securing mechanism (i.e., elements 102/104/106) in Gavit are formed in the leader block 46 and hub 40, not in flanges 50 and 70.

The hub and flanges serve two very different functions. Generally, the hub provides a surface around which the tape is wound. The flanges provide a guide for the tape as the tape is being wound to and from the hub. The Examiner is construing the terms "flanges" so broadly as to be repugnant to the plain meaning of this term.

Appellants respectfully ask the Board of Appeals to reverse the rejections of the Examiner.

Respectfully submitted,

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